



PUBLIC NOTICE

Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

News media information 202 / 418-5000
Fax-On-Demand 202 / 418-2830
Internet <http://www.fcc.gov>
[ftp.fcc.gov](ftp://ftp.fcc.gov)

DA-03-3906

Before the
Federal Communications Commission
Washington, D.C. 20554

PUBLIC NOTICE

Released: December 12, 2003

FEE DECISIONS OF THE MANAGING DIRECTOR AVAILABLE TO THE PUBLIC

The Managing Director is responsible for fee decisions in response to requests for waiver or deferral of fees as well as other pleadings associated with the fee collection process. A public notice of these fee decisions is published in the FCC record.

The decisions are placed in General Docket 86-285 and are available for public inspection. A copy of the decision is also placed in the appropriate docket, if one exists.

The following Managing Director fee decisions are released for public information:

Abiquiu Village TV Association – Request for waiver of FY 2003 regulatory fees **Granted** (November 13, 2003) [See Implementation of Section 9 of the Communications Act, Memorandum Opinion and Order, 10 FCC Rcd 12759, 12762, para 16 (1995)]

Adelphia Communications Corporation – Request for waiver and deferral of FY 2002 regulatory fees **Granted** (November 13, 2003) [See Implementation of Section 9 of the Communications Act, Assessment and Collection of Regulatory Fees for the 1994 Fiscal Year, Memorandum Opinion and Order, 10 FCC Rcd 12759, 12761-62, para 13-14 (1995)]

ADX Communications - Request for waiver of FY 2003 regulatory fees for WBG FM **Granted** (November 13, 2003) [See Implementation of Section 9 of the Communications Act, 10 FCC Rcd 12759, 12762 (1995)]

COMSAT Corporation – Request for reduction of FY 2001, 2000 and 1998 regulatory fees **Denied** (November 13, 2003) [See 47 U.S.C. § 159(d), 47 C.F.R. § 1166, Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5344 ¶ 29 (1994), recon granted in part, 10 FCC Rcd 12759, 12761 ¶ 12 (1995) see also Assessment and Collection of Fees for Fiscal Year 2000, 15 FCC Rcd 14478, 14485-89 ¶¶ 17-24 (2000), aff'd sub nom. COMSAT Corp. v. FCC, 283 F.3d 344 (D.C. Cir. 2002)]

Corban Communications, Inc. - Request for refund of application filing fees **Denied** (October 30, 2003) [See 47 C.F.R. § 158(d)(2)]

Deutsche Telekom, Inc. – Request for waiver and refund of the late charge penalty due in connection with regulatory fees due for fiscal year 2002 **Denied** (October 30, 2003) [See Assessment and Collection of Regulatory Fees for Fiscal Year 2002, Report and Order, 17 FCC Rcd 16,177 (2002)]

Eure Communications, Inc. - Request for waiver of the late charge penalty due in connection with regulatory fees due for fiscal year 2002 WQMZ(FM), WWWV(FM) and WINA(AM) **Denied** (November 13, 2003) [See 47 C.F.R. § 1.1164 (b)]

Valerie Espinoza - Request for waiver of the late charge penalty due in connection with regulatory fees due for fiscal year 2002 KRDD-AM **Denied** (November 20, 2003)

Eagle Creek Broadcasting of Laredo, LLC - Request for refund of FY 2002 regulatory fees for KTVV **Granted** (November 13, 2003) [See FY 2002 Media Services Regulatory Fees, Public Notice, 2002 WL 1798582 (Aug 7, 2002)]

FedEx Freight East – Request for a reduction of application processing fees **Denied** (October 30, 2003) [See 47 U.S.C. §158(d)(2), 47 C.F.R. §1.1117(a), Establishment of a Fee Collection Program to Implement the Provisions of the Consolidated Omnibus Budget Reconciliation Act of 1985, 5 FCC Rcd 3558, 3572-73 (1990) See also Establishment of a Fee Collection Program to Implement the Provisions of the Consolidated Omnibus Budget Reconciliation Act of 1985, Report and Order, 2 FCC Rcd 947, 958, para. 70 (1987), Sirius Satellite Radio Inc., FCC 03-135, 2003 WL 21402609, para. 11 (released June 19, 2003)]

KM Television of Flagstaff, LLC - Request for a waiver or reduction of FY 2003 regulatory fees for KCFG(TV) **Granted** (November 20, 2003) [See Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5346 (1994), recon. granted, 10 FCC Rcd 12759 (1995)]

Lightyear Communications, Inc. and Lightyear Telecommunications, LLC - Request for partial waiver of FY 2003 regulatory fees **Granted** (November 20, 2003) [See Implementation of Section 9 of the Communications Act, 10 FCC Rcd 12759, 12,761-62 (1995)]

L/Q Licensee, Inc. - Request for a waiver and deferral FY 2003 regulatory fees **Granted** (November 20, 2003) [See Implementation of Section 9 of the Communications Act, 10 FCC Rcd 12759, 12761-62 (1995)]

MonsterFM.com/KBBKH – Request for waiver of FY 2003 regulatory fees **Denied** (November 20, 2003) [See Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5346 (1994), on recon. granted, 10 FCC Rcd 12,759 (1995)]

Nucentrix Broadband Networks, Inc. - Request for waiver of FY 2003 regulatory fees **Granted** (November 13, 2003) [See Implementation of Section 9 of the Communications Act, 10 FCC Rcd 12,759, 12,761-62 (1995)]

Nucentrix Broadband Networks, Inc. - Request for a waiver of application processing fees **Granted** (November 20, 2003) [See 47 C.F.R. para. 1.1117, see also MobileMedia Corporation, 14 FCC Rcd 8017, 8027 (1999)]

Orbital Imaging Corporation - Request for waiver and refund of application filing fees **Granted** (November 20, 2003) [See Establishment of a Fee Collection Program to Implement the Provisions of the Consolidated Omnibus Budget Reconciliation Act of 1985, 5 FCC Rcd 3558, 3572-73 (1990), see also MobileMedia Corporation, 14 FCC Rcd 8017, 8027 (1999)]

PC Landing Corp – Request for a waiver and deferral FY 2001 and 2002 regulatory fees **Granted** (August 27, 2003) [See Implementation of Section 9 of the Communications Act, 10 FCC Rcd 12759 (1995)]

Petracom Media, LLC- Request for waiver and deferral of FY 2003 regulatory fees for Petracom of Joplin, LLC, Petracom of Texarcana, LLC, Petracom of Show Low, LLC and Petracom of Holbrook, LLC **Dismissed** (November 13, 2003) [See Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5346 (1994), recon. granted, 10 FCC Rcd 12,759, 12761-62 (1995)]

Rocket Radio Corporation - **Dismissed** (October 14, 2003) [See 47 C.F.R. § 1.1166]

Runnels Broadcasting System, LLC – Request for waiver of filing fees **Granted** (October 30, 2003) [See Implementation of Section 9 of the Communications Act, 10 FCC Rcd 12,759, 12,761-62 (1995)]

SpaceData International, LLC - Request for waiver and deferral of the FY 2002 regulatory fees **Granted** (November 13, 2003) [See Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5346 (1994), recon. granted, 10 FCC Rcd 12,759 (1995)]

Strategic Technologies, Inc. – Request for deferral of FY 2003 regulatory fees **Dismissed** (October 2, 2003)

Stereo 97, Inc. – Request for waiver of FY 2003 regulatory fees for KAVV(FM) **Granted** (November 13, 2003) [See Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5346 (1994), recon. granted, 10 FCC Rcd 12,759 (1995)]

Tiger Eye Broadcasting Corporation - Request for deferral of FY 2003 regulatory fees **Denied** (November 13, 2003) [See 47 U.S.C. §159(d), 47 C.F.R. §1.1166, see also Implementation of Section 9 of the Communications Act, Assessment and Collection of Regulatory Fees for the 1994 Fiscal Year, Report and Order, 9 FCC Rcd 5333, 5344 (1994), on recon., Memorandum Opinion and Order, 10 FCC Rcd 12,759, para. 12 (1995)]

U S Broadcasting, LP - Request for waiver and refund of the late charge penalty due in connection with regulatory fees due for fiscal year 2001 WMAC **Denied** (October 30, 2003) [See Assessment and Collection of Regulatory Fees for Fiscal Year 2001, Report and Order, 16 FCC Rcd 13,525, 13537 (2001)]

Valley Television, LLC - Request for waiver of FY 2003 regulatory fees for WHDF(TV) **Granted** (November 20, 2003) [See Implementation of Section 9 of the Communications Act, 10 FCC Rcd 12,759, 12,761-62 (1995)]

Woolstone Corporation - Request for a reduction of regulatory fees due for FY 2002 Channel 382A construction permit **Denied** (October 30, 2003) [See Assessment and Collection of Regulatory Fees for Fiscal Year 2002, Report and Order, 17 FCC Rcd 13,203, 13,212 (2002)]

NOTE: ANY QUESTIONS REGARDING THIS REPORT SHOULD BE DIRECTED TO THE REVENUE AND RECEIVABLES OPERATIONS GROUP AT (202) 418-1995.

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

NOV 13 2003

OFFICE OF
MANAGING DIRECTOR

Alicia M. Garcia
Secretary-Treasurer
Abiquiu Village TV Association
Post Office Box 63
Abiquiu, New Mexico 87510

Re: Request for Waiver of
FY 2003 Regulatory Fees
Fee Control No: 00000RROG-04-001

Dear Ms. Garcia:

This is in response to your September 23, 2003 request for waiver of the Fiscal Year (FY) 2003 regulatory fees for the television translator system operated by the Abiquiu Village TV Association of Abiquiu, New Mexico. As part of your request, you include a letter from the Commission's Office of Managing Director dated January 22, 2003 waiving your FY 2002 fees for the system operated by the Abiquiu Village TV Association. You state that there have been no changes in the system of Abiquiu Village TV Association since the January 22, 2003 letter.

In implementing the regulatory fee program, the Commission stated it would waive its regulatory fees for any community-based translator station that:

(1) is not licensed to, in whole or in part, and does not have common ownership with, the licensee of a commercial broadcast station; (2) does not derive income from advertising; and (3) is dependent on subscriptions or contributions from members of the community served for support.

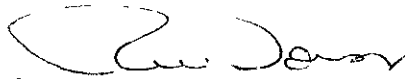
Implementation of Section 9 of the Communications Act, Memorandum Opinion and Order, 10 FCC Rcd 12,759, 12,762, ¶16 (1995). Based upon the statement contained in your request and the Commission's previous waiver of the regulatory fees for FY 2002 and FY 2001, we assume that there have not been changes in either the ownership or the methods of financing of the Abiquiu Village TV Association. Therefore, it appears that Abiquiu Village TV Association has the type of translator operation for which the Commission proposed to grant relief from the regulatory fee obligation. Accordingly, we will waive the regulatory fees for Abiquiu Village TV Association's translator system for FY 2003.


Alicia M. Garcia

2.

You should note that Abiquiu Village TV Association is under a continuing obligation to report to the Commission any changes that could affect its qualification for this fee exemption. You should retain this letter, and a copy should be included in any correspondence with the Commission concerning the regulatory fees for your translator system. If you have any questions concerning this matter, please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark A. Reger".

 Mark A. Reger
Chief Financial Officer

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FCC

2003 OCT -1 A 9:28

ACCOUNT PROCESSING
CST/PT/TMT

September 23, 2003

Alice M. Garcia
Secretary-Treasurer
Abiquiu Village TV Association
P. O. Box 63
Abiquiu, New Mexico 87510

Office of the Managing Director
Federal Communications Commission
445 12th Street NW Room 1-A625
Washington, D.C. 20554

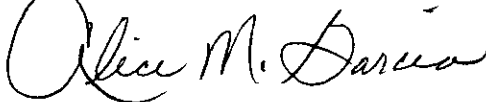
Re: 2003 Regulatory Fee Waiver Request
K11MH K285AD
K02HU K06ME
K09LY

Dear Sir:

We hereby request a fee waiver for 2003 Regulatory Fees for our translator system.
Enclosed is a copy of a letter dated January 22, 2002. There have been no changes in the system.

Thank you for your attention on this matter.

Sincerely,



Alice M. Garcia

Enclosures 2

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FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

OFFICE OF
MANAGING DIRECTOR

JAN 22 2003

Alice M. Garcia
Secretary-Treasurer
Abiquiu Village TV Association
~~Room 955, Box 63~~
Abiquiu, New Mexico 87510

Re: Request for Waiver
of FY 2002 Regulatory Fees
Fee Control No. 00000RROG-03-012

Dear Ms. Garcia:

This is in response to your September 21, 2002 request for waiver of the Fiscal Year (FY) 2002 regulatory fees for the television translator system operated by the Abiquiu Village TV Association of Abiquiu, New Mexico. As part of your request, you include a letter from the Commission's Office of Managing Director dated November 1, 2001, waiving the FY 2001 fees for the system operated by the Abiquiu Village TV Association. You state that there have been no changes in the ownership or the methods of financing of Abiquiu Village TV Association since the November 1, 2001 letter.

In implementing the regulatory fee program, the Commission stated that it would waive its regulatory fees for any community-based translator station that:

~~(1) is not licensed to, in whole or in part, and does not have common ownership~~
~~with, the licensee of a commercial broadcast station; (2) does not derive income~~
from advertising; and (3) is dependent on subscriptions or contributions from
members of the community served for support.

Implementation of Section 9 of the Communications Act, Memorandum Opinion and Order, 10 FCC Rcd 10,891, para. 16 (1995). Based upon the statements contained in your request and the Commission's previous waiver of the regulatory fee for FY 2001, it appears that Abiquiu Village TV Association has the type of translator operation for which the Commission proposed to grant relief from the regulatory fee obligation. Under the circumstances, we will therefore waive the regulatory fees for Abiquiu Village TV Association's translator system for FY 2002.

Alice M. Garcia

2.

You should note that Abiquiu Village TV Association is under a continuing obligation to report to the Commission any changes that could affect its qualification for this fee exemption. You should retain this letter, and a copy should be included in any correspondence with the Commission concerning the regulatory fees for your translator service. If you have any questions concerning the regulatory fees, please call the Revenue & Receivables Operations Group at (202) 418-1995.

Sincerely,



for Mark A. Reger
Chief Financial Officer